Research at the Construction Law Research Cluster

DEPARTMENT OF ARCHITECTURE
This handbook has been produced by

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Construction Law Research Cluster (CLRC)
We engage in research related to the legalities of the construction process including dispute resolution, regulatory enforcement, professional ethics and corporate corruption.

The Construction Law Research Cluster (CLRC) at the University of Strathclyde researches the legalities of the construction process. We have been actively engaged in research on dispute resolution, regulatory enforcement and corporate corruption. Recently, our research activity has focused in particular on themes of delay & disruption, environmental regulation and corporate corrupt practice.

In our most recent publications, we have examined the determinants of non-compliance with structural building code standards in Nigeria, studied the legal and contractual issues concerning off-site manufacturing components in the UK house-building sector, investigated the role of mediation in planning and environmental disputes in England and Wales, and explored the legalities of major and megaproject management.

To do research at CLRC contact:

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RESEARCH AT CLRC

About us
The Construction Law Research Cluster (CLRC) was established in 2010 by Dr Andrew Agapiou, Senior Lecturer at the Department of Architecture, University of Strathclyde. Staff in the research cluster are members of International Council for Research and Innovation in Building and Construction’s (CIB) Working Commission on Law and Dispute Resolution. We also offer training and consultancy on the legal aspects of construction.

Our research interests
Over the years, CLRC has been actively engaged in research related to the legalities of the construction process including dispute resolution, regulatory enforcement and corporate corruption. As such research at CLRC frequently involves working together in close partnership with the University of Strathclyde Law School. Recently, our research has focused on the determinants of non-compliance with structural building code standards in Nigeria, the legal and contractual issues concerning off-site manufacturing components in the UK house-building sector, the role of mediation in planning and environmental disputes in England and Wales, and the legalities of major and megaproject management.

We encourage PhD applications on a variety of topics
CLRC has an international and diverse cohort of PhD students. Topics of interest include:

- Mediation;
- Adjudication & Arbitration;
- Corporate and Construction Professional Ethics;
- Construction Law & Technology-enhanced learning;
- Regulatory Compliance;
- Law, Regulation and Offsite Construction.
KEY RESEARCH AREAS

Mediation
Our research has focused on the interaction of construction lawyers, clients and mediators within the mediation process and on the viability of mediation to resolve planning and environmental disputes.

Arbitration & Adjudication
Work within this context has addressed the impacts of legislative changes to the adjudication process within the UK context.

Corporate & Construction Professional Ethics
Our work within this area has addressed compliance to ethical code standards within the procurement process. Studies have also been undertaken on the professional ethical standards of arbitration practitioners within the oil and gas industry sector.

Construction Law & Technology-enhanced learning
Research has been undertaken on the utilisation of simulation tools to deliver professional practice skills to Architecture students and professionals.

Regulatory Compliance
Our work has addressed regulatory compliance to building code standards for house-building in Nigeria.

Law, Regulation and Offsite Construction
Research has focused on identifying the legal and contractual aspects of offsite construction methods within housing developments within the UK.
PHD TOPICS WE SUPERVISE

Past PhD theses

Adoption of pre-assembled building services components in Saudi Arabia: Consultants’ and Contractors’ Views.
Mohammed Alghaseb.

Nudging Saudi Arabian contracting firms within municipal road projects to bid competitively
Nawaf Alahmadi

Global Claims in Engineering and Construction Projects.
John Hughes

An examination of key factors which impede implementation, enforcement and compliance with structural provisions of the building code standards and regulations within mid-rise residential building projects in Nigeria
Sunday Yakubu

Concurrent Delay Analysis in Public Works Construction Disputes
Sherif Abdalalall

Adopting the UK Market Trend Guidelines to Accredit and Regulate Adjudicators for the Malaysian Construction Industry
Azlina Binti Ibrahim Wan

Current PhD topics

- Risk management framework for offsite construction in China
- A framework for Chinese construction project EOT claims analysis: a comparative study between Chinese and English legal systems
- Professional regulatory control mechanism for arbitrator professionals in oil and gas investor-state arbitration.
Modelling the effect of occupants’ behaviour on household carbon emissions

Occupants’ behaviour has proven its significant impact on buildings performance. The research on carbon emissions has therefore recommended the integration of the technical and behavioural disciplines in order to accurately predict buildings carbon emissions. For this research, a dynamic model is developed to simulate the interaction of occupants’ behaviour with various energy efficient scenarios to reduce carbon emissions. The model results show that the behavioural change can contribute enormously to carbon emissions reduction.
INTERNATIONAL EVENTS & FORUMS

2014
Mediate Scotland 2014, Glasgow, UK
“A reflection on Construction Mediation in Scotland: A comparison of the views and experiences of Lawyers and End-users”
Andrew Agapiou, Invited speaker

2010
Using Simulation in teaching and Learning Workshop, Newcastle upon Tyne, UK
“Simshare, SIMPLE and the OER approach”
Andrew Agapiou, Invited speaker

OER in the disciplines: a joint Subject Strand conference, London, UK
Andrew Agapiou, Invited speaker

2009
Enhancement Themes Conference 2009: Developing Graduates for the 21st Century, Edinburgh, UK
“Simulated Professional Learning Environment (SIMPLE)”
Andrew Agapiou, Invited speaker

“The role of computer-based simulations in Built Environment Education”
Andrew Agapiou, Invited speaker
Nudging Public Procurement rivals to bid competitively

Several measures have been proposed to address the risk of collusion in public procurement via reducing opportunities for such illicit practice. However, there has been little examination of strategies to implement such measures and their effectiveness, particularly in the Saudi Arabian public procurement context. Nawaf’s PhD research has investigated the development of attributes for tenders, by which municipalities might indirectly nudge rival contractors to bid competitively, enhancing their willingness to participate in future municipal tenders.
KNOWLEDGE EXCHANGE

**Consultancy**
The cluster has experience of offering consultancy and advice of the resolution of construction and property-related disputes. Dr Andrew Agapiou is a certified mediator in Scotland, involved in the RIBA professional conduct panel and also an adjudicator for the CEDR consumer disputes panel.

**Teaching**
The cluster is involved in teaching the Architectural Professional Practice curriculum to postgraduate and undergraduate students at Strathclyde. In addition, cluster staff have also been involved in delivering the LLM Construction Law programme within the Strathclyde Law School.

**Knowledge Exchange Events**
The delivery of in-house CPD programmes covering Health & Safety Legislation, Dispute Resolution and the NEC3 form of Engineering and Construction Contract for Housing Development Corporations, Architecture Practice and Client Organisations. Recent development & training activities have covered;

- An introduction to the NEC3 form of contract
- The role of the Project Manager in the NEC3 Contract
- NEC3 Professional Services form of Contract
- The use of Z-clauses within NEC3 form of Contract
The value of mediation: researching attitudes and experience
The value of mediation has also been widely acknowledged worldwide. In most contexts, however, voluntary uptake of the process is low and research into prospective client perceptions is particularly valuable. We are interested in exploring people’s awareness, attitudes and experiences relative to mediation, drawing upon quantitative and qualitative analyses of small and medium-sized contracting firms all around Scotland.
Procurement and contract strategies for offsite manufacturing within UK housebuilding.
Royal Institution of Chartered Surveyors Research Trust Award Scheme, with the University of Wolverhampton and the New Engineering Contract Users’ Group.

Real-Time Simulation of Construction Projects through Hybrid Application of Building Information Modelling and Image Processing.
Advanced Forming Research Centre - Route to Impact Funding, University of Strathclyde, with the Department of Electrical and Electronic Engineering at University of Strathclyde

Scottish Construction Mediation: a survey of the client base.
Strathclyde University Faculty of Humanities and Social Sciences Strategic Fund, with the Law School at University of Strathclyde

Construction clients and mediation: a follow up study of attitudes and experiences.
Royal Institution of Chartered Surveyors Education Trust Award Scheme, with the Law School at University of Strathclyde

Lean Construction Design: Optimising the extent of standardisation and off-site assembly to maximise client value.
EPSRC Bridging the Gap Postgraduate Joint Projects Scheme with the Department of Management Science at University of Strathclyde

The development and evaluation of a contract management simulation game for Architecture students and professionals.
Association of Scottish Schools of Architecture and the Centre for Education in the Built Environment (CEBE)
Procurement and contract strategies for OSM within UK housebuilding

Perceived benefit of off-site manufacture (OSM) include increased productivity and building quality, reduction of labour demands, and environmental impacts associated with traditional construction. In turn, knowledge on the associated procurement and contractual options and on the potential risks they pose for those managing housing developments and/or administering construction contracts is lagging behind. Here at CLRCT we are developing procurement and contract strategies and models for OSM based upon qualitative research involving selected case studies of UK house building projects.
PUBLICATIONS BY RESEARCH AREA

Mediation


**Adjudication & Arbitration**


**Corporate and Construction Professional Ethics**


**Construction Law & Technology-enhanced learning**


**Regulatory Compliance**


**Law, Regulation and Offsite Construction**


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